

PATENT

IBM/272
Confirmation No. 6152

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence for Application No.
10/777,576 is being electronically transmitted to Technology Center
2811, via EFS-WEB, on April 13, 2006.

/William R. Allen/
William R. Allen

April 13, 2006
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Furukawa et al. Art Unit: 2811
Serial No.: 10/777,576 Examiner: Steven Ho Yin Loke
Filed: February 12, 2004 Atty. Docket No.: ROC920030271US1
For: **VERTICAL CARBON NANOTUBE FIELD EFFECT TRANSISTORS AND
ARRAYS**

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Non-Compliant Amendment dated April 3, 2006, Applicants submit the attached substitute pages 2A, 2B as a corrected "Amendments to the Specification" section that replaces page 2 of Applicants' January 18, 2006 Response to the November 3, 2005 Office Action. This submission is responsive to the Examiner's request to provide a replacement abstract with markings to show all changes to the previous version of the abstract commencing on a separate sheet. Applicants' undersigned representative appreciates the courtesy extended by the Examiner during a telephone conference on April 13, 2006 to clarify the grounds for non-compliance.

Applicants respectfully submit that the January 18, 2006 Response was actually compliant with 37 C.F.R. § 1.72(b), which requires that the abstract commence on a separate sheet. Applicants submitted a clean version of the amended abstract as an attachment to the

January 18, 2006 Response that commences on a separate sheet. Applicants cannot discern a requirement in 37 C.F.R. § 1.72(b) or the MPEP § 714 that the marked-up version of the abstract in an amendment section entitled “Amendments to the Specification” also commence on a separate page. Nevertheless, Applicants submission is offered to advance prosecution of this application.

Applicants have made a bona fide effort to respond to each and every requirement set forth in the Notice of Non-Compliant Amendment. In view of the foregoing amendments and remarks, this application is submitted to be in complete condition for allowance and, accordingly, a timely notice of allowance to this effect is earnestly solicited. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicants do not believe fees are dues in connection with filing this communication. If, however, any additional fees are necessary as a result of this communication, the Commissioner is hereby authorized to charge any under-payment or fees associated with this communication or credit any over-payment to Deposit Account No. 23-3000.

Respectfully submitted,

April 13, 2006
Date

/William R. Allen/
William R. Allen, Ph.D.
Reg. No. 48,389
WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Telephone: (513) 241-2324
Facsimile: (513) 241-6234